

### **III. Amendments to the Claims**

The listing of claims below will replace all prior versions and listings of claims in the application or as previously submitted. As noted above, the listing below begins with the listing of claims as stated in the first proposed Amendment after final submitted on 9/18/2006, and strikes through deleted text and underscores added text that is being deleted from and added to the claims as stated there.

#### **LISTING OF CLAIMS:**

Claim 1 (currently amended, third amendment): An electric deterrent device comprising:

- a) ~~an elongate flexible~~ base having at least two areas which are of a non-conductive material;
- b) said base being attachable to a surface;
- c) at least a pair of electricity conducting elements attached to said non-conductive areas of said base, each said element comprising ~~a plurality of three or more smaller~~ interwoven in hair-braid-like fashion ~~braided together~~ to form a braided ~~each said~~ element, wherein when said base is bent in convex or concave flex the compression or extension stress placed on said braided elements is at least partially absorbed by individual strands expanding apart from, or contracting towards, one another; ~~and~~
- d) said braided elements being attachable respectively to the positive and negative terminals of a power source; and
- e) said braided elements attached to said base by sewing.

Claim 2 (original): The invention of claim 1 wherein said strands of said elements are substantially round.

Claim 3 (original): The invention of claim 1 wherein said strands of said elements are substantially flat.

Claim 4 (deleted)

Claim 5 (original): The invention of claim 1 wherein said braided elements have a substantially flat cross sectional configuration.

Claim 6 (deleted)

Claim 7 (deleted)

Claim 8 (deleted)

Claim 9 (original): The invention of claim 1 wherein a plurality of said strands are stainless steel.

Claim 10 (original): The invention of claim 1 wherein a plurality of said strands are copper.

Claim 11 (original): The invention of claim 1 wherein a plurality of said strands are zinc coated copper.

Claim 12 (original): The invention of claim 1 wherein said base is constructed of cellular, rigid or flexible polyvinyl chloride.

Claim 13 (original): The invention of claim 1 wherein said base is constructed of any elastomeric material.

Claim 14 (original): The invention of claim 1 wherein each said braided element resides within an appropriately sized channel within said base.

Claim 15 (original): The invention of claim 1 in which said braided element comprises some strands of a conductive material and other strands of a non-conductive material.

Claim 16 (currently amended, third amendment): In an electrical animal, pest or bird deterrent device comprising ~~an elongate flexible~~ base that is attachable to the surface from which the animal, pest or bird is to be deterred, and at least a pair of electrically conductive elements attached to the base and attachable to a power source, the improvement comprising said conductive elements comprising at least three ~~plurality of~~ individual strands woven together in a hair-braid-like fashion, wherein when said base is bent in any direction, the stress placed on said conductive elements is at least partially absorbed by said individual strands moving relative to one another, and wherein said elements are attached to said base by sewing.

Claim 17 (deleted)

Claim 18 (original): The invention of claim 16 in which some of said individual strands are made of a conductive material and some are not.

Claim 19 (original): The invention of claim 16 in which said strands are made of metal.

Claim 20 (original): The invention of claim 19 in which said strands are constructed of stainless steel, copper, or zinc plated copper, or a combination thereof.

Claim 21 (original): The invention of claim 16 in which said base is constructed entirely of a non-conductive material.

Claim 22 (original): The invention of claim 16 in which said base is constructed entirely of cellular, flex or rigid polyvinyl choride.

Claim 23 (original): The invention of claim 16 in which said base is constructed entirely of a material selected from the group of neoprene, fluoroelastomer, silicone, natural rubber, buna n (nitrile), buna s (SBR), thermoplastic rubber, synthetic polyisoprene, EPDM and polyurethane.

Claim 24 (original): The invention of claim 16 in which said strands are substantially circular in cross section.

Claim 25 (original): The invention of claim 16 in which said strands are substantially flat in cross-section.

Claim 26 (original): The invention of claim 16 in which said strands are woven tightly together.

Claim 27 (original): The invention of claim 16 in which said strands are woven loosely together.

Claim 28 (new): The invention of claim 1 in which one or more of said strands comprises a single wire.

Claim 29 (new): The invention of claim 1 in which one or more of said strands comprises multiple wires, and at least one of said wires in at least one of said strands is of an electrically conductive material.

Claim 30 (new): The invention of claim 16 in which one or more of said strands comprises a single wire.

Claim 31 (new): The invention of claim 16 in which one or more of said strands comprises multiple wires, and at least one of said wires in at least one of said strands is of an electrically conductive material.

[end of claims]